

**AMENDMENTS TO THE CLAIMS**

1–45. (Cancelled)

46. (Currently Amended) A burner assembly for burning in a direct-vent-fireplace a fuel gas from a gas source, ~~the burner assembly being connectable to a base with a gas inlet aperture therein,~~ comprising:

a burner pan;

a direct-vent burner body secured to the burner pan with at least one fastener, the burner body having upper and lower portions, the lower portion of the burner body sealably coupleable-coupled to the base and having first and second recessed gas distribution chamber portions formed therein, the upper portion of the burner body having a contoured surface with a plurality of integral peaks and valleys, the contoured surface being shaped to simulate a generally planar portion with a plurality of simulated coal members arranged in a simulated ember bed, the burner body having gas distribution apertures extending from the lower portion to the simulated coal members of the contoured surface, a first set of the gas distribution apertures extending through the burner body to the first recessed gas distribution chamber portion, and a second set of distribution apertures extending through the burner body to the second recessed gas distribution chamber portion, the gas distribution apertures being positioned to direct a flow of the fuel gas to the contoured upper surface for ignition, the first set of gas distribution apertures being selectively grouped together and configured with the first recessed gas distribution chamber portion to provide a first gas pressure in the first gas distribution chamber portion to control a first flow rate of fuel gas through the burner body for ignition above a first portion of the simulated coal members and a first flame characteristic in the direct-vent-fireplace-unit, and the second set of gas distribution apertures being selectively grouped

together and configured with the second recessed gas distribution chamber portion to provide a second gas pressure in the second gas distribution chamber portion different to control a second flow rate of fuel gas through the burner body for ignition above a second portion of the simulated coal members away from the first portion of the simulated coal members and a second flame characteristic in the direct vent fireplace unit different from the first flame characteristic, wherein the first and second flow rates of fuel gas and the resulting first and second flame characteristics provide flames with color, movement and different sizes above different portions of the simulated coal bed and simulate a natural wood burning fire; and

a simulated logs removeably supported on the burner body, wherein the burner body provides a simulated bed of glowing embers underneath the simulated logs and wherein the burner body is configured to distribute the fuel gas at selected rates and volumes to provide the flames about the simulated logs and above adjacent to the simulated ember bed.

47. (Previously Presented) The burner assembly of claim 46 wherein the burner body is constructed of a material that glows at selected color variations in the simulated coal members to simulate a burning and glowing coal ember bed in the base of a fire when the fuel gas is ignited adjacent to the contoured surface.

48. (Previously Presented) The burner assembly of claim 46 wherein the burner body is made of a ceramic-based material.

49. (Previously Presented) The burner assembly of claim 46 wherein the gas apertures have open upper ends positioned in a plurality of different planes, so the open upper ends are not co-planar.

50. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a non-metallic burner body having a lower portion sealably coupled to the base to form a recessed interior gas distribution chamber configured to receive fuel gas therein from the gas source, an upper portion of the burner body having a contoured surface with a plurality of integral peaks and valleys shaped as simulated coal members, and the contoured surface having a substantially flat portion forming a simulated-log-support surface adjacent to the simulated coal members, the simulated-log-support surface having an alignment guide, the upper portion of the burner body having gas distribution apertures extending from the interior gas distribution chamber to the contoured surface, the gas distribution apertures having different heights and being positioned to direct the fuel gas to the contoured surface for ignition, the burner body being constructed of a material that glows at selected color variations in the simulated coal members to simulate a burning and glowing coal ember bed in the base of a fire when the fuel gas is ignited adjacent to the contoured surface; and

a simulated log removably supported by the simulated-log-support surface adjacent to the simulated coal members, the alignment guide being configured to align the simulated-log relative to the upper portion of the burner body.

51. (Previously Presented) The burner assembly of claim 50 wherein the burner body is constructed of a ceramic-based material.

52. (Previously Presented) The burner assembly of claim 50 wherein the burner body is constructed of compressed vermiculite.

53. (Previously Presented) The burner assembly of claim 50 wherein the burner body includes a combustion air hole extending therethrough, the combustion air hole positioned to be out of fluid communication with the gas distribution chamber when the burner pan is connected to the burner body.

54. (Previously Presented) The burner assembly of claim 50 wherein the interior gas distribution chamber has first and second chamber portions recessed from the base, the first chamber portion being larger than the second chamber portion and a greater number of gas distribution apertures communicate with the first chamber portion than the number of gas distribution apertures in communication with the second chamber portion.

55. (Currently Amended) A burner assembly for burning a fuel gas, comprising:

a burner pan;

a spacer; and

an adhesive adhered to the spacer;

a burner body having upper and lower portions, the lower portion of the burner body sealably coupled to the burner pan and to the spacer, the lower portion of the burner body having edge portions separate from the spacer and the adhesive and spaced apart from the burner pan with the lower portion being supported apart from the burner pan by the spacer forming an interior gas distribution chamber between the burner pan and the burner body, the interior gas distribution chamber positioned to receive a flow of fuel gas therein, the upper portion of the burner body having a contoured surface forming simulated coal members, the upper portion of the burner body having a plurality of gas distribution apertures extending from the interior gas distribution chamber to the contoured surface, the plurality of gas distribution apertures being positioned to direct a flow of the fuel gas from the interior gas distribution chamber to the contoured surface for ignition, the burner body being constructed of a material that glows at selected color variations in the

simulated coal members to simulate a burning and glowing coal ember bed in the base of a fire when the fuel gas is ignited adjacent to the contoured surface, wherein the interior gas distribution chamber and the gas distribution apertures are sized and configured to maintain a desired gas pressure distribution within the gas distribution chamber during use to control the flow rate of the fuel through the burner apertures to provide selected flame characteristics at different portions of the simulated coal bed to provide flames with color, movement and different sizes above different portions of the simulated coal members and simulate a natural wood burning fire.

56. (Previously Presented) The burner assembly of claim 55 wherein the interior gas distribution chamber has a plurality of chamber portions to maintain a desired fuel gas pressure within the interior gas distribution chamber.

57. (Previously Presented) The burner assembly of claim 55 wherein the burner pan includes a base spaced apart from the burner body and the spacer is a distribution fence projecting from the base, the lower portion of the burner body has a channel that receives a portion of the distribution fence, the distribution fence dividing the interior gas distribution chamber into separate chamber portions for distribution of the fuel gas to selected ones of the gas distribution apertures.

58. (Previously Presented) The burner assembly of claim 55 wherein the plurality of gas distribution apertures have open upper ends positioned in a plurality of different planes so the open upper ends are not co-planar.

59. (Previously Presented) The burner assembly of claim 55 wherein a selected group of the plurality of gas distribution apertures are concentrated relative to each other to provide a selected flame shape when the fuel gas flowing through the concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body.

60. (Previously Presented) The burner assembly of claim 55 wherein the burner body includes a combustion air hole extending therethrough, the combustion air hole being out of fluid communication with the interior gas distribution chamber.

61. (Previously Presented) The burner assembly of claim 55 wherein the contoured surface provides a non-uniform surface that provides simulated coal portions of different sizes and heights.

62. (Previously Presented) The burner assembly of claim 55 wherein the upper portion of the burner body has a simulated-log-support surface positioned to removably receive one or more simulated logs thereon.

63. (Previously Presented) The burner assembly of claim 55 wherein the burner body is constructed of a ceramic-based material.

64. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a spacer adjacent to the base;

a burner body having upper and lower portions, the burner body being coupled to the spacer with the lower portion of the burner body being spaced apart from the base by the spacer to form an interior gas distribution chamber therebetween and configured to receive a flow of fuel gas from the gas source, the lower portion of the burner body having a flat undersurface portion generally parallel to the base of the burner pan, the lower portion having a recessed underportion spaced apart from the burner pan's base and recessed from the burner body's flat undersurface portion, the recessed underportion defining a portion of the gas distribution chamber, the upper portion of the burner body having a contoured surface forming simulated

burning members, the burner body having a plurality of gas distribution apertures extending therethrough from the lower portion to the contoured surface of the upper portion, at least the upper portion of the burner body being constructed of a material that glows at selected color variations when the fuel gas is ignited adjacent to the contoured surface, wherein the interior gas distribution chamber and the gas distribution apertures are sized and configured to maintain a desired gas pressure distribution within the gas distribution chamber during use to control the flow rate of the fuel through the gas distribution apertures to provide selected flame characteristics at different portions of the simulated coal bed to provide flames with color, movement and different sizes above different portions of the simulated burning members and simulate a natural wood burning fire.

65. (Previously Presented) The burner assembly of claim 64 wherein the plurality of gas distribution apertures have open upper ends positioned in a plurality of different planes.

66. (Previously Presented) The burner assembly of claim 64 wherein a selected group of the plurality of gas distribution apertures are concentrated relative to each other to provide a selected flame shape when the fuel gas flowing through the concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body.

67. (Previously Presented) The burner assembly of claim 64 wherein the gas distribution chamber has a first recessed chamber portion and a second recessed chamber portion, the burner body having a transition portion adjacent to the first and second recessed chamber portions.

68. (Previously Presented) The burner assembly of claim 64 wherein the burner body is constructed of a ceramic-based material.

69. (Previously Presented) The burner assembly of claim 64, further comprising a plurality of simulated logs adjustably positioned adjacent to the simulated burning members.

70. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a burner body having upper and lower portions, the burner body being spaced apart from the base forming a sealed interior gas distribution chamber therebetween, the interior gas distribution chamber having first and second chamber portions in fluid communication with each other and positioned to receive the fuel gas therein, gas flow distribution surfaces extending between the first and second chamber portions and configured to direct at least a portion of the fuel gas from the first chamber portion to the second chamber portion wherein a first gas pressure in the first chamber portion is greater than a second gas pressure in the second chamber portion, the upper portion of the burner body having a contoured surface with a plurality of integral peaks and valleys, the burner body having a plurality of gas distribution apertures extending therethrough from the lower portion to the contoured surface of the upper portion, the plurality of gas distribution apertures being positioned to direct a flow of the fuel gas to the contoured surface of the upper portion of the burner body for ignition, a first set of gas distribution apertures and the first chamber portion being configured to provide the first gas pressure and a first flow rate of fuel gas through the burner body for ignition and a first flame characteristic, and a second set of gas distribution apertures and the second chamber portion being configured to provide the second pressure and a second flow rate of fuel gas through the burner body for ignition and a second flame characteristic different from the first flame characteristic, at least a portion of the upper surface of the burner body being



constructed of a non-metallic material that glows at selected color variations when the fuel gas is ignited adjacent to the contoured surface that in combination with the first and second flame characteristics provide flames with color, movement and different sizes above different portions of the simulated coal members and simulate a natural wood-burning fire.

71. (Previously Presented) The burner assembly of claim 70 wherein the peaks and valleys in the contoured surface is shaped to form a plurality of simulated coal members.

72. (Previously Presented) The burner assembly of claim 70 wherein distribution surfaces are distribution fences extending between the lower portion of the burner body and the base.

73. – 80. Cancelled

81. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base coupled to a fuel gas inlet;

a burner body having upper and lower portions, the lower portion of the burner body being sealably coupled to the base to form an interior gas distribution chamber therebetween, the lower portion of the burner body having a first chamber portion and a second chamber portion configured to allow the flow of fuel gas to move from the first chamber portion to the second chamber portion, the upper portion of the burner body having a contoured surface with a plurality of peaks and valleys to form a plurality of simulated coal members, a portion of the contoured surface forming a simulated-log support portion to removably support one or more separate simulated logs adjacent to the simulated coal members, the burner body having a plurality of gas

distribution apertures extending therethrough from the lower portion to the contoured surface of the upper portion adjacent to the simulated coal members and adjacent to the simulated-log support portion, the plurality of gas distribution apertures being positioned to direct a flow of the fuel gas to the contoured surface of the upper portion of the burner body for ignition, the plurality of fuel distribution apertures and the first and second chamber portions being configured to maintain a first gas pressure in the first chamber portion to provide a first flow rate of fuel gas through a first group of the gas distribution apertures, and a second gas pressure in the second chamber portion to provide a second flow rate of fuel gas through a second group of the gas distribution apertures, wherein the second flow rate is less than the first flow rate to provide smaller flames adjacent to a first portion of the simulated coal members, the burner body being constructed of a material that glows at selected color variations in the simulated coal members when the fuel gas is ignited adjacent to the contoured surface to provide flames with color, movement and different sizes above different portions of the simulated coal members and simulate a natural wood burning fire.

82. (Previously Presented) The burner assembly of claim 81, further comprising a spacer between the lower portion of the burner body and the base.

83. (Previously Presented) The burner assembly of claim 81 wherein the plurality of gas distribution apertures have open upper ends positioned in a plurality of different planes, so the open upper ends are not co-planar thereby controlling the distribution of the fuel gas at the contoured surface of the upper portion of the burner body.

84. (Previously Presented) The burner assembly of claim 81 wherein a selected group of the plurality of gas distribution apertures are concentrated relative to each other to

provide a selected flame shape when the fuel gas flowing through the concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body.

85. (Previously Presented) The burner assembly of claim 81 wherein the plurality of gas apertures have substantially the same height.

86. (Previously Presented) The burner assembly of claim 81 wherein the burner body is constructed of a ceramic-based material.

87. (Currently Amended) A burner assembly for use in a gas fireplace unit and for burning a fuel gas from a gas source, the burner assembly being connectable to a base with a gas inlet aperture therein, comprising a non-metallic burner body and at least one simulated log thereon, the burner body having upper and lower portions, the lower portion of the burner body sealably coupleable to the base and having first and second recessed gas distribution chamber portions formed therein, the upper portion of the burner body having a contoured surface with a plurality of integral peaks and valleys, the contoured surface being shaped to simulate a generally planar portion with a plurality of simulated coal members arranged in a simulated ember bed, the burner body having gas distribution apertures extending from the lower portion to the contoured surface, a first set of the gas distribution apertures extending through the burner body to the first recessed gas distribution chamber portion, and a second set of distribution apertures extending through the burner body to the second recessed gas distribution chamber portion, the first and second recessed gas distribution chamber portions being sized, shaped and configured in combination with the first and second sets of gas distribution apertures, respectively, to maintain a gas pressure distribution being configured to ~~direct-control~~ a flow of the fuel gas to the contoured upper surface with at least first and second flow rates of fuel gas for ignition in the gas fireplace unit to provide flames having at least first and second flame characteristics different from each other and that are sized and move relative to the contoured upper surface and about the simulated log in a manner that provide flames with

color, movement and different sizes above different portions of the simulated coal members and simulate ~~simulates~~ a natural wood-burning fire.

88. (Previously Presented) The burner assembly of claim 87 wherein the burner body is constructed of a material that glows at selected color variations in the simulated coal members to simulate a burning and glowing coal ember bed in the base of a fire when the fuel gas is ignited adjacent to the contoured surface.

89. (Previously Presented) The burner assembly of claim 87 wherein the burner body is constructed of a material that glows in a manner that simulates a burning and glowing coal ember bed in the base of a natural wood-burning fire.

90. (Previously Presented) The burner assembly of claim 87 wherein the gas apertures have open upper ends positioned in a plurality of different planes, so the open upper ends are not co-planar.

91. (Previously Presented) The burner assembly of claim 87, further comprising the base spaced apart from the burner body, and a gasket positioned between the burner body and the base.

92. (Previously Presented) The burner assembly of claim 87, further comprising the base having a flat top surface and a separator positioned between the top surface and the burner body to support the burner body away from the top surface.

93. (Previously Presented) The burner assembly of claim 87, further comprising the base sealably coupled to the burner body, and wherein the burner body includes a combustion air hole extending therethrough, the combustion air hole is positioned to be out of fluid communication with the gas distribution chamber when the base is coupled to the burner body.

94. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a non-metallic burner body having a lower portion with a recessed area, the burner body being spaced apart from and sealably coupled to the base to form a recessed gas distribution chamber configured to receive fuel gas therein from the gas source, the upper portion of the burner body having a contoured surface with a plurality of integral peaks and valleys shaped as simulated coal members, and the contoured surface forming a simulated-log-support surface, the upper portion of the burner body having gas distribution apertures extending from the gas distribution chamber to the contoured surface, the gas distribution apertures having different heights and being positioned and configured in combination with the recessed gas distribution chamber to maintain a selected gas pressure in the gas distribution chamber and to direct the fuel gas to the contoured surface with at least first and second flow rates of fuel for ignition adjacent to the contoured surface to provide flames with at least first and second flame characteristics different from each other, the burner body being constructed of a material that glows at selected color variations in the simulated coal members to simulate a burning and glowing coal ember bed in the base of a fire when the fuel gas is ignited adjacent to the contoured surface, the burner body with the contoured surface, the recessed gas distribution chamber and gas distribution apertures being sized and configured to create flames of different sizes at different portions of the contoured surface and that have different sizes, colors and movement above different portions of ~~move relative to the~~ contoured surface of the burner body and simulate a natural wood-burning fire; and

a simulated log supported by the simulated log-support surface adjacent to the simulated coal members.

95. (Previously Presented) The burner assembly of claim 94, further comprising a gasket positioned between the burner body and the base.

96. (Previously Presented) The burner assembly of claim 94, wherein the base has a generally flat top surface and a separator positioned between the top surface and the burner body to support the burner body away from the top surface.

97. (Previously Presented) The burner assembly of claim 94 wherein the burner body includes a combustion air hole extending therethrough, the combustion air hole positioned to be out of fluid communication with the gas distribution chamber when the burner pan is connected to the burner body.

98. (Previously Presented) The burner assembly of claim 94 wherein the gas distribution chamber has first and second chamber portions recessed from the base, the first chamber portion being larger than the second chamber portion and a greater number of gas distribution apertures communicate with the first chamber portion than the number of gas distribution apertures in communication with the second chamber portion.

99. (Currently Amended) A burner assembly for burning a fuel gas, comprising:  
a burner pan;  
a separator connected to the burner pan; and  
a burner body having upper and lower portions, the lower portion of the burner body sealably coupled to the burner pan, the burner body being out of direct engagement with the burner pan with the lower portion of the burner body being supported apart from the burner pan by the separator forming a gas distribution chamber between the burner pan and the burner body, the gas distribution chamber positioned to receive a flow of fuel gas therein, the upper portion of the burner body having a contoured surface forming simulated coal members, the upper portion of the burner body having a

plurality of gas distribution apertures extending from the gas distribution chamber to the contoured surface, the plurality of gas distribution apertures and the gas distribution chamber being configured to direct a flow of the fuel gas from the gas distribution chamber to the contoured surface with at least first and second flow rates of fuel for ignition adjacent to the contoured surface to provide flames with at least first and second flame characteristics different from each other for ignition adjacent to the simulated coal members, the burner body being constructed of a material that glows at selected color variations in the simulated coal members to simulate a burning and glowing coal ember bed in the base of a fire when the fuel gas is ignited adjacent to the contoured surface, wherein the gas distribution chamber and the gas distribution apertures are sized and configured to maintain a desired gas pressure distribution within the gas distribution chamber during use to control the flow rate of the fuel through the gas distribution apertures to provide selected flame characteristics at different portions of the simulated coal members to provide flames with color, movement and different sizes above different portions of the simulated coal members and simulate a natural wood burning fire simulate a natural wood burning fire.

100. (Previously Presented) The burner assembly of claim 99 wherein the separator is a distribution fence.

101. (Previously Presented) The burner assembly of claim 99 wherein the separator is a gasket.

102. (Previously Presented) The burner assembly of claim 99 wherein the burner pan has a plurality of sidewalls.

103. (Previously Presented) The burner assembly of claim 99 wherein the burner body having the contoured upper surface and the gas distribution apertures is configured, when the fuel gas is ignited adjacent to the upper surface, to provide flames that move about to the contoured upper surface in a manner that simulates a natural wood-burning fire.

104. (Previously Presented) The burner assembly of claim 99 wherein the gas distribution chamber has a plurality of chamber portions to maintain a desired fuel gas pressure within the gas distribution chamber.

105. (Previously Presented) The burner assembly of claim 99 wherein the burner pan includes a base spaced apart from the burner body and the separator is a distribution fence projecting from the base, the lower portion of the burner body has a channel that receives a portion of the distribution fence, the distribution fence dividing the interior gas distribution chamber into separate chamber portions for distribution of the fuel gas to selected ones of the gas distribution apertures.

106. (Previously Presented) The burner assembly of claim 99 wherein the plurality of gas distribution apertures have open upper ends positioned in a plurality of different planes so the open upper ends are not co-planar.

107. (Previously Presented) The burner assembly of claim 99 wherein a selected group of the plurality of gas distribution apertures are concentrated relative to each other to provide a selected flame shape when the fuel gas flowing through the concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body.

108. (Previously Presented) The burner assembly of claim 99 wherein the burner body includes a combustion air hole extending therethrough, the combustion air hole being out of fluid communication with the interior gas distribution chamber.



109. (Previously Presented) The burner assembly of claim 99 wherein the contoured surface provides a non-uniform surface that provides simulated coal portions of different sizes and heights.

110. (Previously Presented) The burner assembly of claim 99 wherein the upper portion of the burner body has a simulated-log-support surface positioned to removably receive one or more simulated logs thereon.

111. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a separator adjacent to the base;

a burner body having upper and lower portions, the lower portion of the burner body being spaced apart from the base of the burner pan by the separator with a gas distribution chamber therebetween and configured to receive a flow of fuel gas from the gas source, the lower portion of the burner body having a flat undersurface portion generally parallel to the base of the burner pan, the lower portion having a recessed underportion spaced apart from the base and recessed from the burner body's flat undersurface portion, the recessed underportion defining a portion of the gas distribution chamber, the upper portion of the burner body having a contoured surface forming simulated burning members, the burner body having a plurality of gas distribution apertures extending therethrough from the lower portion to the contoured surface of the upper portion, at least the upper portion of the burner body being constructed of a material that glows at selected color variations when the fuel gas is ignited adjacent to the contoured surface, wherein the gas distribution chamber and the gas distribution apertures are sized and configured to maintain a desired gas pressure within the gas distribution chamber during use to control the flow rate of the fuel through the gas

distribution apertures to provide flames when the fuel gas is ignited that have different sizes, color, and movement above different portions of the simulated burning members and simulate a natural wood burning fire.

112. (Previously Presented) The burner assembly of claim 111 wherein a selected group of the plurality of gas distribution apertures are concentrated relative to each other to provide a selected flame shape when the fuel gas flowing through the concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body.

113. (Previously Presented) The burner assembly of claim 111 wherein the gas distribution chamber has a first recessed chamber portion and a second recessed chamber portion, the burner body having a transition portion adjacent to the first and second recessed chamber portions.

114. (Previously Presented) The burner assembly of claim 111, further comprising a simulated log adjustably positioned adjacent to the simulated burning members.

115. (Previously Presented) The burner assembly of claim 111 wherein the separator is a gasket.

116. (Previously Presented) The burner assembly of claim 111 wherein the separator is a distribution fence.

117. (Previously Presented) The burner assembly of claim 111 wherein the base has a plurality of sidewalls.

118. (Previously Presented) The burner assembly of claim 111 wherein the burner body having the contoured upper surface and the gas distribution apertures is configured, when the fuel gas is ignited adjacent to the upper surface, to provide flames that move about to the contoured upper surface in a manner that simulates a natural wood-burning fire.

119. – 121. Cancelled.

122. (Currently Amended) A burner assembly for use with a simulated log and for burning a fuel gas from a gas source, comprising:

a base; and

a burner body having upper and lower portions, the lower portion of the burner body being sealably coupled to the base, the lower portion of the burner body having a recessed gas distribution chamber having a first chamber portion space apart from a second chamber portion and interconnected therewith by an intermediate chamber portion smaller than the first and second chamber portions, the first chamber portion being positioned to receive a flow of fuel gas therein directly from the fuel gas inlet so the fuel gas is distributed from the first chamber portion through the intermediate chamber portion to the second chamber portion, the upper portion of the burner body having a contoured surface simulating coal members and having a plurality of gas distribution apertures extending from the gas distribution chamber to the contoured surface, the plurality of gas distribution apertures and the first and second chamber portions being sized and configured to provide a gas pressure in the second chamber less than a gas pressure in the first chamber to provide direct-a flow of the fuel gas to the contoured surface of the upper portion of the burner body with at least first and second flow rates of fuel for ignition adjacent to the contoured surface to provide flames with at least first and second flame characteristics different from each other, the burner body

being constructed to provide flames, when the fuel gas is ignited, that have different sizes, color, and movement above different portions of the simulated coal members and move relative to the simulated log in a manner that resembles a natural wood-burning fire.

123. (Previously Presented) The burner assembly of claim 122, further comprising a separator coupled to the base and supporting the burner body away from the base.

124. (Previously Presented) The burner assembly of claim 122, further comprising a gasket positioned between the base and the burner body to support the burner body away from the base.

125. (Previously Presented) The burner assembly of claim 122, further comprising a spacer between the base and the burner body.

126. – 127. Cancelled

128. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a burner body having upper and lower portions, the lower portion of the burner body being sealably coupled to the base to form a gas distribution chamber therebetween, the lower portion of the burner body having a first chamber portion and a second chamber portion configured to allow the flow of fuel gas to move from the first chamber portion to the second chamber portion, the upper portion of the burner body having a contoured surface with a plurality of peaks and valleys to form a plurality of simulated coal members, a portion of the contoured surface forming a simulated-log support portion to support

one or more simulated logs adjacent to the simulated coal members, the burner body having a plurality of gas distribution apertures extending therethrough from the lower portion to the contoured surface of the upper portion, the plurality of gas distribution apertures being positioned to direct a flow of the fuel gas to the contoured surface of the upper portion of the burner body for ignition, the burner body being constructed of a material that glows at selected color variations in the simulated coal members when the fuel gas is ignited adjacent to the contoured surface; and  
a separator between base and the burner body that separates the burner body from the base; and  
an adhesive that adhesively couples the separator to at least one of the burner body and the base.

129. (Previously Presented) The burner assembly of claim 128 wherein the plurality of gas distribution apertures have open upper ends positioned in a plurality of different planes, so the open upper ends are not co-planar thereby controlling the distribution of the fuel gas at the contoured surface of the upper portion of the burner body.

130. (Previously Presented) The burner assembly of claim 128 wherein a selected group of the plurality of gas distribution apertures are concentrated relative to each other to provide a selected flame shape when the fuel gas flowing through the concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body.

131. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a burner body having upper and lower portions, the lower portion of the burner body being sealably coupled to the base to form a gas distribution chamber

therebetween, the lower portion of the burner body having a first chamber portion and a second chamber portion configured to allow the flow of fuel gas to move from the first chamber portion to the second chamber portion, the upper portion of the burner body having a contoured surface with a plurality of peaks and valleys to form a plurality of simulated coal members, a portion of the contoured surface forming a simulated-log support portion to support one or more simulated logs adjacent to the simulated coal members, the burner body having a plurality of gas distribution apertures extending therethrough from the lower portion to the contoured surface of the upper portion, the plurality of gas distribution apertures and the first and second chamber portions being configured to direct a flow of the fuel gas to the contoured surface of the upper portion of the burner body with at least first and second flow rates of fuel for ignition adjacent to the contoured surface to provide flames with at least first and second flame characteristics different from each other, the burner body being constructed of a material that glows at selected color variations in the simulated coal members when the fuel gas is ignited adjacent to the contoured surface; and

a spacer between the lower portion of the burner body and the base; and  
an adhesive that adhesively couples the spacer to at least one of the burner body  
and the base.

132. (Previously Presented) The burner assembly of claim 131 wherein the plurality of gas distribution apertures have open upper ends positioned in a plurality of different planes, so the open upper ends are not co-planar thereby controlling the distribution of the fuel gas at the contoured surface of the upper portion of the burner body.

133. (Previously Presented) The burner assembly of claim 131 wherein a selected group of the plurality of gas distribution apertures are concentrated relative to each other to provide a selected flame shape when the fuel gas flowing through the

concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body.

134. (Previously Presented) The burner assembly of claim 131 wherein the spacer is a gasket.

135. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a simulated log; and

a burner body upper and lower portions, the lower portion of the burner body sealably coupleable to the base and having a recessed gas distribution chamber integrally formed therein, the upper portion of the burner body having the simulated log thereon and having a contoured surface with integral peaks and valleys resulting in the burner body having different thicknesses between the recessed gas distribution chamber and the contoured surface, the contoured surface being shaped to simulate coal members arranged in a simulated ember bed that glows below the simulated log, the burner body having gas distribution apertures extending from the lower portion to the contoured surface, the gas distribution apertures having a plurality of different heights; the gas distribution apertures and the gas distribution chamber being sized and configured maintain a gas pressure in the gas distribution chamber to control ~~to direct a flow of the fuel gas to the~~ contoured surface of the upper portion of the burner body with at least first and second flow rates of fuel for ignition adjacent to the contoured surface to provide flames with at least first and second flame characteristics different from each other, the burner body being configured to distribute fuel gas to the upper portion and around the simulated log to provide ~~a-flames~~ having size,

color variations and movement above different portions of the simulated ember bed and simulate ~~that simulates a natural wood-burning fire.~~

136. (Previously Presented) The burner assembly of claim 135 wherein the burner body has a combustion air hole extending therethrough and being out of fluid communication with the gas distribution chamber.

137. (Previously Presented) The burner assembly of claim 135 wherein the gas distribution apertures includes a forward set of apertures and a rear set of apertures, the burner body has a combustion air hole extending therethrough, being out of fluid communication with the gas distribution chamber, and positioned intermediate the forward and rear sets of apertures.

138. (Previously Presented) The burner assembly of claim 135 wherein the burner body has a combustion air hole extending therethrough out of fluid communication with the gas distribution chamber and positioned to provide combustion air to the upper surface to facilitate combustion of the fuel gas over the burner body.

139. (Previously Presented) The burner assembly of claim 135 wherein the burner body is constructed of a material that glows at selected color variations in the simulated coal members to simulate a burning and glowing coal ember bed in the base of a fire below the simulated log when the fuel gas is ignited adjacent to the contoured surface.

140. (Previously Presented) The burner assembly of claim 135, further comprising the base spaced apart from the burner body, and a separator positioned between the burner body and the base.



141. (Previously Presented) The burner assembly of claim 135, further comprising the base having a flat top surface and a separator positioned between the top surface and the burner body to support the burner body away from the top surface.

142. (Currently Amended) A burner assembly for burning a fuel gas from a gas source, comprising:

a base;

a separator adjacent to the base;

a burner body having upper and lower portions, the lower portion of the burner body being spaced apart from the base by the separator with a gas distribution chamber therebetween and configured to receive a flow of fuel gas from the gas source, the lower portion of the burner body having a flat undersurface portion generally parallel to the base, the lower portion having a recessed underportion spaced apart from the base and recessed from the burner body's flat undersurface portion, the recessed underportion defining a portion of the gas distribution chamber, the upper portion of the burner body having a contoured surface forming simulated burning members, the burner body having gas distribution apertures extending therethrough from the lower portion to the contoured surface of the upper portion, the gas distribution apertures have open upper ends positioned in different planes, wherein a selected group of the gas distribution apertures are concentrated relative to each other to provide a selected flame shape when the fuel gas flowing through the concentrated group of gas distribution apertures is ignited adjacent to the upper portion of the burner body, the upper portion of the burner body being constructed of a material that glows at selected color variations when the fuel gas is ignited adjacent to the contoured surface;  
an adhesive that adhesively couples the separator to at least one of the burner body and the base; and

a simulated log adjustably positioned on the burner body adjacent to the simulated burning members.

143. (Previously Presented) The burner assembly of claim 142 wherein the separator is a gasket.

144. (Previously Presented) The burner assembly of claim 142 wherein the separator is a distribution fence.

145. (Previously Presented) The burner assembly of claim 55 wherein the spacer is a gasket.

146. (Previously Presented) The burner assembly of claim 55 wherein the spacer further comprises a gasket.